

PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/003,0050
Filing Date	November 2, 2001
First Named Inventor	Joern Ostermann
Art Unit	2655
Examiner Name	Minerva Rivero
Attorney Docket Number	2001-0600b

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard C. Irving, 38,499
Signature	<i>Richard C. Irving</i>
Date	May 9, 2005

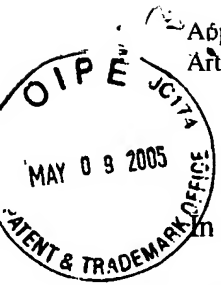
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joern Ostermann, et al.

Serial No.: **10/003,350**

Filed: **November 2, 2001**

**FOR: SYSTEM AND METHOD FOR
SENDING MUTLI-MEDIA MESSAGES
USING EMOTICONS**

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: Attorney Ref.: **2001-0600B**
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: Art Unit: **2655**
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: Examiner: **Minerva Rivero**
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:

**The Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference that is not a US Patent reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- ☐ 1. This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); within three months of the date of the entry of the national stage as set forth in §1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. No certification or fee is required. (37 C.F.R. §1.97(b)). If a first office action was mailed before the filing of this IDS, please debit deposit account 502960 the necessary fees set forth in 37 C.F.R. §1.17(p) to proceed to consider the cited references.
- ☒ 2. This information disclosure statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under §1.53(d); more than three months after the date of the entry of the national stage as set forth in §1.491 in an international application; after the mailing date of a first Office action on the merits, or after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311 or an action that otherwise closes prosecution in the application. (37 C.F.R. §1.97(c)).
- ☐ a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(1)).

☒ b. Except for the resubmission of references that were previously submitted with incorrect patent numbers and except for the resubmission of non-patent references that were listed on previous PTO-1449 forms, without the non-patent references themselves being submitted to the Patent Office, I hereby certify that no item of new information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to my knowledge after making reasonable inquiry, no item of new information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(2)).

☐ c. Attached is a credit card payment form and Fee Transmittal for payment of \$180 to cover the fee under 37 C.F.R. §1.17(p) and to ensure consideration of the disclosed information. If necessary to process this IDS, please debit Deposit Account No. 502960 any additional amount in order to ensure consideration of this IDS.

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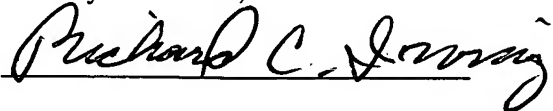
☐ c. Please debit Deposit Account No. _____ in the amount of _____ to cover the fee under 37 C.F.R. §1.17(p) and ensure consideration of the disclosed information.

Date: May 9, 2005

Correspondence Address:

Samuel H. Dworetsky
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

Respectfully submitted,

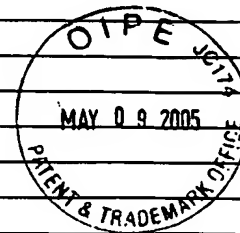
By: 

Richard C. Irving
Attorney for Applicants
Reg. No. 38,499
Phone: 410-414-3056
Fax No.: 410-510-1433

PATENT APPLICATION

PTO/SB/08A MODIFIED

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		<div style="text-align: right; font-weight: bold;">Complete if Known</div> <table style="width: 100%;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/003,350</td> </tr> <tr> <td>Filing Date</td> <td>November 2, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Joern Ostermann</td> </tr> <tr> <td>Group Art Unit</td> <td>2655</td> </tr> <tr> <td>Examiner Name</td> <td>Minerva Rivero</td> </tr> <tr> <td>Attorney Docket Number</td> <td>2001-0600B</td> </tr> </table>		Application Number	10/003,350	Filing Date	November 2, 2001	First Named Inventor	Joern Ostermann	Group Art Unit	2655	Examiner Name	Minerva Rivero	Attorney Docket Number	2001-0600B
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Examiner Name	Minerva Rivero														
Attorney Docket Number	2001-0600B														
Sheet	1	of	3												



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		US-6,466,213		Bickmore, et al.	10-2002	
		US-6,018,744		Mamiya et al.	01-2000	
		US-5,537,662		Sato, et al.	07-1996	
		US-6,532,011		Francini, et al.	3-2003	
		US-6,147,692		Shaw, et al	11-2000	
		US-4,276,570		Burson, et al.	06-1981	
		US-5,638,502		Murata, Yoshiuki,	06-1997	
		US-5,818,461		Rouet et al.	10-1998	

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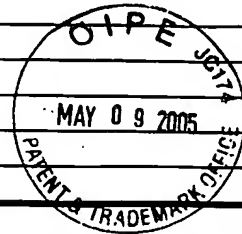
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	1	H. NOOT, ZS. M. RUTKAY, "Chartoon 20.0 Manual, January 31. 2000	<input type="checkbox"/>
	2	LIJUN YIN, A. BASU; "MPEG4 face modeling using fiducial points", IEEE; Image Processing, 1997. Proceedings., International Conference on, Volume: 1, 26-29. 1997	

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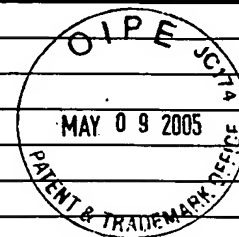
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		Number	Kind Code ² (if known)			
		US-6,476,815		Ando, Tsutomu	11-2002	
		US-6,381,346		Erasian, Arsev H.	04-2002	
		US-5,995,639		Kado, et al.	11-1999	
		US-5,689,618		Gasper, et al.	11-1997	
		US-6,384,829		Prevost, et al.	05-2002	
		US-5,347,306		Nitta, Tohei	09-1994	
		US 5,850,463		Horii, Kazuya	12-1998	
		US-4,602,280		Maloomian, Laurence G.	7-1986	
		US- 6,643,385		Bravomalo, Mario J.	11-2003	

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	3	BICKMORE, ET AL., "Animated Autonomous Personal Representatives", ACM, International Conference on Autonomous Agents, Proceedings of the Second International Conference on Autonomous Agents, pgs 8-15, 1998	<input type="checkbox"/>

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		US-5,113,493		Crosby C. Scott	05-1992	
		US-6,215,505		Minami et al.	04-2001	
		US-6,417,853		Squires, et al.	07-2002	

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	4	THORISSON, KRISTINN R. "ToonFace: A System for Creating and Animating Interactive Cartoon Faces." MIT Media Laboratory Learning and Common Sense Section Technical Report, pp. 96-101, Apr. 1996	<input type="checkbox"/>
	5.	DAVID KURLANDER, TIM SKELLY, DAVID SALESIN, "Comic Chat", Proceedings of the 23rd Annual Conference on Computer Graphics and Interactive Techniques, August 1996	
	6	POLLACK, "Happy in the East or Smiling in the West", New York Times. 12, August 1996.	
	7	PELACHAUD, ET AL. "Generating Facial Expressions for Speech", Cognitive Science, Jan. 3, 1996, Vol. 20, no. 1, pp. 1-46.	

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